

**REMARKS**

The present amendment is responsive to the Office Action dated September 9, 2005. Claims 1, 4, 11 and 12 have been amended. New claims 13-18 have been added. No new matter has been introduced by these amendments or new claims. Support for the amendments and new claims may be found, for example, at numbered paragraphs 0093-0111 of the specification and in FIGS. 15-19. Therefore, claims 1-6 and 11-18 are presented for the Examiner's consideration in view of the following remarks.

Claims 1, 3-4, 6 and 11-12 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,635,978 ("Alten"). Applicant respectfully traverses the rejection.

As discussed in the amendment dated April 1, 2005, *Alten* is directed to an electronic program scheduling system "that provides the viewer with a more versatile, readable, and aesthetically pleasing display of program listings as well as promotional information." (Col. 1, lns. 8-12.) The system includes "head end" cable system equipment 10 and a master uplink installation 100. (See FIG. 1.)

The master uplink installation 100 compiles television program schedules and promotional data. (See col. 5, lns. 31-32.) Within the master uplink installation, "[d]ata processor 110 processes the various data including the program schedule listings stored in database 120, channel map data stored in database 130, and the promotional information stored in database 140. Text fit data processor 115 provides a computer system for editing the program schedule listings descriptions so that they may fit in different size display cells, and is described later." (Col. 5, lns. 32-39.)

The listings database 120 of the master uplink installation 100 "contains the program listings for all cable

networks, local stations (including their affiliated network programs), in addition to pay-per-view events." (Col. 5, lns. 39-42.) The master uplink installation 100 generates television program schedule information and promotional material to the cable head-end 10 (see col. 5, lns. 21-23). Furthermore, "Updates and changes to the program schedule information are made at the master uplink facility and then transmitted to the participant cable system." (Col. 6, lns. 58-60.)

Once the program schedule information is configured by the master uplink installation 100 and distributed to the cable head end equipment 10, the information can be distributed to an interactive cable converter box 200. (See col. 14, lns. 5-15.) According to *Alten*, the "length of the program determines the size of the cell available for the display of the program title and other information." (Col. 8, lns. 61-63.) The text fit system determines how to generate a program table to display program titles based on the number of characters in the title and the grid cell size.

Claims 1, 4, 11 and 12 have been amended to clarify the relative start and end times within a given time slot.

Specifically, claim 1 has been amended to state "production means for producing a retrieval table based on the program guide information, the retrieval table comprising a plurality of time slots each having a predetermined length of time including predetermined start and end times that are independent of the program broadcast times, and for allocating each program to at least one of the plurality of time slots based on the broadcast time of the program, wherein the programs have varying lengths of time and the allocation is performed for each program with reference to a relative start time and a relative end time within a selected time slot in the retrieval table, at least one of the relative start time and the relative

end time associated with a given program being different than the predetermined start and end times for a given time slot."

Claim 4 has been amended to include "allocating each program to at least one of the plurality of time slots based on the broadcast time of the program, wherein the programs have varying lengths of time and the allocation is performed for each program with reference to a relative start time and a relative end time within a selected time slot in the retrieval table, at least one of the relative start time and the relative end time associated with a given program being different than the predetermined start and end times for a given time slot."

Claim 11 now recites "wherein at least one of the relative start time and the relative end time associated with a given one of the selected programs is different than predetermined start and end times for the at least one timeslot."

And claim 12 includes "setting relative start times of the selected programs in at least one timeslot, the relative start time associated with a given one of the selected programs being different than predetermined start and end times for the at least one timeslot."

*Alten* neither discloses nor suggests retrieval tables having relative start times or relative end times associated with programs in which the relative start time or the relative end time is a different time than the predetermined start and end times of the timeslot. None of the art of record remedies the deficiencies of *Alten*. For at least this reason, applicant respectfully submits that the rejection of independent claims 1, 4, 11 and 12 should be withdrawn. Claims 3 and 6 depend from claims 1 and 4, respectively, and contain all of the limitations thereof as well as other limitations that are neither disclosed nor suggested by the prior art of record. Accordingly,

applicant submits that these dependent claims are likewise patentable.

Claims 2 and 5 were rejected under 35 U.S.C. § 103(a) as being obvious over *Alten* in view of U.S. Patent No. 5,812,124 ("*Eick*"). Claims 2 and 5 depend from claims 1 and 4, respectively, and contain all of the limitations thereof as well as other limitations that are neither disclosed nor suggested by the prior art of record. Accordingly, applicant submits that these dependent claims are likewise patentable.

New claims 13-16 depend from claims 1, 4, 11 and 12, respectively, and are drawn to allocating more than one program or clone program guide object in a given time slot for a given channel. New claims 17-19 depend from claims 4 and 12, respectively, and are drawn to generating a program table based upon the retrieval table. Claims 13-18 contain all of the limitations of the respective independent claims as well as other limitations that are neither disclosed nor suggested by the prior art of record. Accordingly, applicant submits that these dependent claims are likewise patentable.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

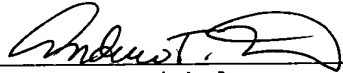
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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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